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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

INVENTOR: Dan Kikinis
CASE: P5064
SERIAL NO.: 09/927,301 **GROUP ART UNIT:** 2665
FILED: 08/10/2001 **EXAMINER:** Philpott, Justin M.
SUBJECT: Integrating SIP Control Messaging Into Existing
Communication Center Routing Infrastructure

PARTY IN INTEREST: All inventions in the disclosure in the present case are assigned to or assignable to:

Genesys Telecommunications Laboratories, Inc.

To: The Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

DEAR SIR:

APPEAL BRIEF

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37 C.F.R 1.192(c)(1) Real Party in Interest

The real party in interest is the party named above in the caption of the brief, Genesys Telecommunications Laboratories, Inc.

37 C.F.R 1.192(c)(2) Related Appeals and Interferences

This is an appeal from the Office Action of the Primary Examiner dated 10/04/2004, Finally rejecting claims 16-27, the only pending claims in the application. There are no related appeals or interferences in the instant case.

37 C.F.R 1.192(c)(3) Status of the Claims

Claims 1-25 were submitted with the original patent application USSN 09/727,301 filed on 08/10/01. Claims 1-15 were canceled, new claims 16-27 were presented, and the disclosure was amended in appellant's Response A, filed 08/18/03 in response to the first non-Final action in the case mailed 04/16/03 rejecting claims 1-15 due to informalities as well as on the merits, and objecting to the disclosure. Claim 25 was amended, and further arguments were presented in appellant's Response B filed 07/02/04 in response to the Final Action mailed 11/07/03 rejecting claims 16-27. Therefore claims 16-27 are left standing for examination and have been maintained in that form until the present Appeal, which is responsive to the Final Action mailed on 10/04/04 maintaining the rejection of claims 16-27.

37 C.F.R 1.192(c)(4) Status of Amendments

Following is a chronological listing of Office Actions mailed and Responses filed in the instant case:

1. Case filed with claims 1-15 on 08/10/01, case accorded USSN 09/727,301.
2. First non-Final Action mailed 04/16/03 objecting to the disclosure and claim 13, and rejecting claims 1-15 due to informalities and on the merits.
3. Response filed by appellant on 08/18/03 as Response A, canceling claims 1-15, presenting new claims 16-27, and amending the disclosure.
4. Final Action mailed 11/07/03 rejecting claims 16-27.
5. Response to Final filed on 07/02/04 as Response B amending claim 25, and providing further arguments.
6. Final Action mailed 10/04/04 rejecting claims 16-27.
7. Notice of Appeal filed on 12/13/04.

As of the time of this Appeal Brief, claims 16-27 stand for decision on appeal from the examiner's Final rejection made on 10/04/04.

37 C.F.R 1.192(c)(5) Summary of the Invention

The invention is a system for routing a communication event in a call center (402, figure 4) having routing provided by a CTI server (412, figure 4) initiated by an originator (419, figure 4) at a computerized workstation outside the call center.

The system and apparatus according to a first embodiment of the present invention is depicted in figure 4, and a method for practicing the invention according to a first embodiment is illustrated in the block diagram of figure 5.

The system of the first embodiment for routing communication events in a call center is exemplified in independent claim 16, which recites the communication event routing system comprising a software-enabled SIP mechanism (420,421, figure 4) operable on the workstation by the originator to prepare and send an SIP-protocol routing request along with an event initiation, and a software enabled reformatting mechanism (410,411, figure 4) in the call center receiving and processing the SIP-protocol routing request. The system is characterized in that the reformatting mechanism converts the SIP routing requests into non-SIP protocol understood by the CTI server, and sends the resulting non-SIP requests to the CTI server for processing and response, and the CTI server determines and returns a routing for the communication event.

In some embodiments the communication event arrives at the call center from a data packet network, which may be the Internet network. The Internet network in some embodiments may further connect to a LAN network in the communication center. The CTI server may control all routing within the communication center and the communication events, in some other

embodiments, are received from clients of the call center and routed to agents or automated systems at work within the center.

The method for practicing the invention as embodied in the language of independent claim 16 is exemplified in independent method claim 22, which recites a method for routing a communication event in a call center having routing provided by a CTI server, the event initiated by an originator at a computerized workstation outside the call center, comprising the steps of preparing and sending an SIP-protocol routing request along with the initiated event by a software-enabled SIP mechanism operable on the workstation by the originator (501, figure 5), receiving and processing the SIP-protocol routing requests by a software enabled reformatting mechanism in the call center (502, figure 5), converting the SIP routing request into non-SIP protocol understood by the CTI server by the reformatting mechanism (502, figure 5), sending the non-SIP request to the CTI-server for processing and response, and determining a routing for the communication event by the CTI-server (507, figure 5).

In some embodiments the communication event arrives at the call center from a data packet network, which may be the Internet network. The Internet network in some embodiments may further connect to a LAN network in the communication center. The CTI server may control all routing within the communication center and the communication events, and in some other embodiments, the communication events are received from clients of the call center and routed to agents or automated systems at work within the center.

37 C.F.R 1.192(c)(6) Issues

Whether the Examiner in the present case makes a proper rejection of claims 16-27 as unpatentable over the system of Wengrovitz (Application Pub. No. 2002/0110113), hereinafter referred to as Wengrovitz. Appellant asserts that the reference lacks motivation and fails to teach or suggest the present invention as claimed. Appellant argues that the reference fails to teach many of the aspects of the claimed invention which would be required for practicing the invention, such as initiating routing requests, routing them through a communication center, or even a CTI server for providing routing intelligence. It is appellant's strong opinion that Wengrovitz simply teaches using SIP protocol for practicing Internet telephony, not for sending routing requests through a communications center. Appellant believes that the Examiner has loosely applied the teachings of the prior art reference as reading on the claimed limitations, which does not provide for a proper rejection under 35 U.S.C. 103(a).

37 C.F.R 1.192(c)(7) Grouping of Claims

All of the pending claims stand or fall together and there is no grouping presented of separately patentable claims.

37 C.F.R 1.192(c)(8) Argument

In the first office Action in the present case mailed April 16, 2003, the Examiner rejected the independent claims under 35 U.S.C. 102(a) as being anticipated by the reference of Schulzrinne. The prior art of Schulzrinne relied upon the Examiner for the prima facie rejection taught the use of SIP throughout the process to create routing separate from "conventional" CPI routing rules.

In response to the rejection, in appellant's Response A, filed on August 18, 2003, appellant canceled the standing claims 1-15 and presented a new set of claims 16-27 to more particularly recited a key feature of the claimed invention, which is that a SIP request initiated by a caller is parsed in the call center, and then reformatted into language that is understood by the T-server (CTI server in the call center), which then makes routing decisions for the communication event in its usual way. This allows SIP to be used by a caller to forward a routing request for virtually any transaction (IP call, e-mail, voicemail, etc.), which can then be routed conventionally in the call center. This also eliminates the need to provide a "new" set of routing rules, depending on the type of communication event.

The new set of claims and arguments presented by appellant were persuasive to the Examiner over the art of Schulzrinne, and in the next Office Action dated November 7, 2003, the Examiner Finally rejected the new independent claims 16-22, providing the new reference of Wengrovitz for teaching or suggesting all of the limitations of the new claims.

In appellant's Response B filed July 02, 2004, it was extensively argued that Wengrovitz failed to teach many aspects of the claimed invention required for practicing the invention, such as initiating routing requests, routing the requests through a communication center, or even a CTI server for providing

routing intelligence. Appellant argues that the reference of Wengrovitz simply teaches using SIP protocol for practicing Internet telephony, not for sending routing requests. It is appellant's strong opinion that the teachings of Wengrovitz were therefore very loosely applied to the teachings of the claimed invention.

The object, and heart of the claimed invention is using SIP protocol as an additional way to make a routing request, such that the request could be used by the CTI router transparently, as though the request came in a more conventional way, such as stripping data from a call, parsing an e-mail, and so on. The reference of Wengrovitz however, clearly fails to teach a routing means provided by an enhanced CTI server, fails to teach routing communication events in a call center, and in fact, teaches no intelligent routing at all.

Appellant now wishes to direct the Board's attention to the reference of Wengrovitz, with reference to figure 2, and the supporting disclosure beginning column 2, paragraph 32, wherein a data communication network is described, which supports an emulation service for a SIP-compatible telephone initiating a call to another SIP-compatible telephone via the Internet. Referring to figure 2, the emulation service is provided by an emulation client (50 a) of the switch (50), and translates an SIP message to a PBX message understandable by switch 50, or vice versa. Appellant argues that switch 50 is simply a standard private branch exchange (PBX) switch, which is notoriously well-known in the art, in which clearly does not provide any intelligent routing, as is provided by the enhanced CTI server of the communication center taught in appellant's claimed invention.

The reference of Wengrovitz simply teaches using SIP protocol for practicing standard Internet telephony, but clearly fails to teach sending any routing requests, or any intelligent routing of events according to such requests provided by a CTI server in a communication center. Further, appellant argues that it is certainly would not have been obvious at the time of the invention to shift

of the location of the SIP mechanism from a standard PBX switch to a workstation, as in appellant's claimed invention, as contended by the Examiner. The result of shifting the SIP mechanism from the switch to the phone would result in the user not being able to send a routing request; rather, the user would only be able to send an event initiation, and the user also would be unable to add any additional data to a routing request, such as a textual reason for the request of contact, as is taught in appellant's claimed invention.

Referring the Board now to the specification of appellant's claimed invention, with reference to Fig. 4, communication center 402 routes requests and events initiated by the remote user, and the remote user has an instance of software (SW 420) for preparing and sending the SIP routing request along with the event initiation, in the user also has capability, through an instance of software application (FF421), to populate form information into the content of the SIP request, causing the event request to be initiated having an SIP header and the completed form as the body of the SIP message. The SIP event arrives at the communication center where it is parsed by (SW411) for content and the header information and content (form data) are separated from the SIP message, and the parsed data is re-formatted into the protocol understood by the CTI server, which is, as mentioned above, enhanced with T-server functionality for added routing intelligence and capability, which is clearly not possible due to the architecture of the system of Wengrovitz, which teaches simply a telephony system for routing telephony calls.

The obvious and advantageous distinction in appellant's claimed invention, is providing the ability to send a telephony event along with a routing request using different protocols, and the ability at the routing destination of the routing event to interpret the event as being of SIP protocol, and then converting the event data into the data type recognizable by the CTI server, such that the CTI

server may then provide and return an intelligent routing decision for the event of the SIP request, based on the routing rules already conventionally established for the entire call center. The communication event itself, such as a telephone call, for instance, and the SIP routing request came then be handled through the communication center completely separate, even delivered by entirely different means.

Appellant asserts that, although in the art cited and applied by the Examiner, there is shown a simple telephony system for routing telephony calls using SIP protocol for practicing Internet telephony, the Wengrovitz system does not, and is not intended for sending routing requests, and the teachings of Wengrovitz fails to teach many of the aspects of appellant's claimed invention which are required for practicing the invention as claimed, such as initiating routing requests, routing them through a communication center, and enhanced T-server functionality of the CTI server in the communication center for providing additional routing intelligence.

In conclusion, it is respectfully submitted that the prior art teachings relied upon by the Examiner have been very loosely applied to the clearly advantageous aspects of appellants claimed invention, as discussed above, and therefore clearly fails to teach or suggest all of the limitations as recited in the present claims. Accordingly, appellant requests that the Board reversed the Final rejection of claims 16-27 and hold them allowable.

37 C.F.R 1.192(c)(9) Appendix

The following are the claims involved in the Appeal:

16. A system for routing a communication event in a call center having routing provided by a CTI server, the event initiated by an originator at a computerized workstation outside the call center, comprising:

 a software-enabled SIP mechanism operable on the workstation by the originator to prepare and send an SIP-protocol routing request along with an event initiation; and

 a software enabled reformatting mechanism in the call center receiving and processing the SIP-protocol routing request;

 characterized in that the reformatting mechanism converts the SIP routing request into non-SIP protocol understood by the CTI server, and sends the resulting non-SIP request to the CTI-server for processing and response, and the CTI server determines and returns a routing for the communication event.

17. The system of claim 16 wherein the communication event arrives at the call center from a data packet network.

18. The system of claim 17 wherein the data-packet-network comprises the Internet network.

19. The system of claim 18 wherein the Internet network further connects to a LAN network.

20. The system of claim 16 wherein the CTI server controls routing within the call

center.

21. The system of claim 16 wherein the communication events are received from clients of the call center and routed to agents or automated systems at work within the center.

22. A method for routing a communication event in a call center having routing provided by a CTI server, the event initiated by an originator at a computerized workstation outside the call center, comprising the steps of:

- a) preparing and sending an SIP-protocol routing request along with the initiated event by a software-enabled SIP mechanism operable on the workstation by the originator;

- b) receiving and processing the SIP-protocol routing request by a software enabled reformatting mechanism in the call center;

- c) converting the SIP routing request into non-SIP protocol understood by the CTI server by the reformatting mechanism;

- d) sending the non-SIP request to the CTI-server for processing and response; and

- e) determining a routing for the communication event by the CTI-server.

23. The method of claim 22 wherein the communication event arrives at the call center from a data packet network.

24. The method of claim 23 wherein the data packet network comprises the Internet network.

25. The method of claim 24 wherein the Internet network further connects to a

LAN network.

26. The method of claim 22 wherein the CTI server controls routing within the call center.

27. The method of claim 22 wherein the communication events are received from clients of the call center and routed to agents or automated systems at work within the center.

If any additional time extensions are required beyond any extension petitioned with this Appeal Brief, such extensions are hereby requested. If there are any fees due beyond any fees paid with this Appeal Brief, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,

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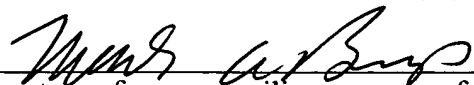
Title of Case: Integrating SIP Control Messaging into Existing Communication Center Routing Infrastructure

I hereby certify that the attached papers are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

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4. Check for fees in the amount of \$500.00.
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Mark A. Boys

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